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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

Note by the Secretary-General

The Secretary-General has the honour to transmit to the Commission on Human Rights the attached report submitted by the United Nations Observer Mission in El Salvador in accordance with resolution 693 (1991) of the Security Council.

GE.93-10963 (E)

Annex

UNITED NATIONS OBSERVER MISSION IN EL SALVADOR AS A MECHANISM FOR ACTIVE VERIFICATION IN THE FIELD OF HUMAN RIGHTS

I. INTRODUCTION

1. As Mr. Boutros Boutros-Ghali, Secretary-General of the United Nations, has said, the United Nations Observer Mission in El Salvador (ONUSAL) marks the start of a new generation of peace-keeping operations. It is an unprecedented experiment for the United Nations system in which the Organization is using its good offices to resolve an internal conflict and has assumed responsibility for verifying all the commitments entered into by the parties, including monitoring the situation of human rights in the country with a view to their protection and promotion.

2. ONUSAL is thus an integrated operation which, at the request of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional (FMLN), is responsible for actively verifying the attainment of the four objectives that the parties have set for the peace restoration process: ending the armed conflict through political negotiations; consolidating living conditions and democratic institutions; establishing guarantees of unrestricted respect for human rights; and reuniting and reconciling Salvadorian society. These aims of the peace process are set out in the Geneva Agreement signed by the two parties under United Nations auspices on 4 April 1990. 1/

3. The fact that the Geneva Agreement recognized and formally established unrestricted respect for human rights as a basic and substantive component of the peace process reflects the understanding of the Government of El Salvador and the Frente Farabundo Martí para la Liberación Nacional regarding the interrelationship that exists between the ending of the armed conflict, the consolidation of democracy and respect for the human rights of the population. This position does not assimilate peace with the elimination of the armed conflict. On the contrary, it denotes a rational and politically legitimate attitude recognizing that the achievement of peace is structurally linked to the adoption of a complex series of undertakings, constitutional and institutional reforms and the adjustment of individual and social conduct, with a view to replacing the culture of violence created by 11 years of armed conflict by a culture of human rights.

4. The conclusion of peace accords in El Salvador was a long and difficult process which culminated on 16 January 1991 with the signature of the El Salvador Peace Agreement in Mexico City (A/46/864-S/23501).

5. This Agreement, incorporating the advances made by previous commitments, 2/ laid down a set of agreements in various areas of El Salvador's national life with the aim of achieving the peace objectives agreed upon in Geneva. The main ones were the following:

(a) Cessation of the armed conflict over a period beginning on 1 February 1991 and ending on 15 December 1992. 3/ The cease-fire was

conceived not only as the conclusion of military operations but also as a comprehensive agreement which, in addition to the cease-fire as such, involved the separation of forces, the disbandment of the FMLN's military structure and the reintegration of its members into the civil, economic, political and institutional life of the country, including the distribution of land to the former combatants;

(b) The realization of substantive changes in the conception, structure and functions of the armed forces. These include their reduction, a process of purification entrusted to an ad hoc Commission, the elaboration of a new military doctrine defining security as "a broader concept based on unrestricted respect for the individual and social rights of the person", 4/ the establishment of a new system of instruction, the disbandment of the rapid deployment infantry battalions established during the anti-subversive struggle, and the creation of the National Civil Police, a new civil force independent from the armed forces and responsible for public security.

(c) Improvement of the judicial system through the enactment of new laws regulating the National Council of the Judiciary, the Judicial Training School, the Office of the National Counsel for the Defence of Human Rights, the judicial profession and the reform of the Code of Military Justice, the latter with the aim of excluding offences committed by civilians from military jurisdiction.

II. THE EL SALVADOR PEACE AGREEMENTS AND THE ESTABLISHMENT OF THE UNITED NATIONS OBSERVER MISSION IN EL SALVADOR

6. The agreements that constitute the political and legal framework for the peace process in El Salvador were signed successively in the course of a prolonged process of negotiation. After the general objectives of the negotiations had been established in the Geneva Agreement (4 April 1990), and while conditions were being created for the signature of the substantive agreements relating to the cease-fire, the democratic reforms of the Constitution of the Republic and the reorganization of the country's institutions, the Government of El Salvador and FMLN - with the good offices of the Secretary-General of the United Nations - signed the San José Agreement on Human Rights (A/44/971 - S/21541) in San José, Costa Rica, on 26 July 1990. This Agreement, which represented the first substantive political understanding between the parties in the process of arranging civil peace, embodied undertakings to ensure the observance and safeguarding of human rights and to submit them to a broad process of international verification by the United Nations.

7. It contained a commitment to take immediately all necessary steps and measures to avoid any act or practice which constitutes an attempt upon the life, integrity, security or freedom of the individual and to eliminate any practice involving enforced disappearances and abductions. At the same time agreement was reached on a set of immediate measures to ensure the full guarantee of the freedom and the integrity of the person.

8. The Agreement provided that all these measures would be the subject of active verification by a United Nations human rights verification mission, which was given the following terms of reference:

(a) To investigate the human rights situation in El Salvador as regards acts committed or situations existing as from the date of its establishment and to take any steps it deems appropriate to promote and defend such rights;

(b) To devote special attention to the observance of the rights to life, to the integrity and security of the person, to due process of law, to personal liberty, to freedom of expression and to freedom of association;

(c) To clarify any situation which appears to reveal the systematic practice of human rights violations and to recommend appropriate measures for the elimination of the practice to the party concerned.

9. For the fulfilment of this mandate, the San José Agreement gave the verification mission a broad range of specific powers. They include the power to: verify the observance of human rights; receive communications from any individual, group of individuals or body in containing reports of human rights violations; visit any place or establishment freely and without prior notice; hold its meetings freely anywhere in the national territory; interview freely and privately any individual, group of individuals or members of bodies or institutions; collect by any means it deems appropriate such information as it considers relevant; make recommendations to the parties on the basis of any conclusions it has reached with respect to cases or situations it may have been called upon to consider; and report regularly to the Secretary-General of the United Nations and through him to the General Assembly.

10. Although the terms of reference set in the San José Agreement were broad in scope, it contained in its preamble a working definition of human rights which extended still further the legal framework for the verification mission's activities. It widened it to cover the provisions on human rights contained in the Salvadorian legal system, including international treaties to which El Salvador is a party and to the rules of international humanitarian law and the declarations and principles on human rights adopted by the United Nations and the Organization of American States.

11. The signature of the other peace agreements after the San José Agreement extended the scope of active verification to other human rights commitments, and in particular those relating to reforms of the judiciary, the formulation of a new military doctrine, the restructuring of the armed forces instruction system and the formation of the National Civil Police. In each and every one of these commitments a conceptual and normative link is established with the need to assert human dignity and promote respect for human rights.

12. The verification mission was scheduled to start work as soon as the armed conflict ceased. In practice, as already stated (see para. 6), the process of active verification was brought forward at the request of the parties, and ONUSAL had to confront the problems involved in starting its mission in the middle of the armed conflict, when it had originally been intended and scheduled to take place after a cease-fire had been established.

13. This fact entailed an additional effort to bring the terms of reference into line with situations governed by humanitarian law and to organize activities in the field, giving priority to the combat areas.

III. EXECUTION OF THE MANDATE TO VERIFY THE HUMAN RIGHTS SITUATION

14. ONUSAL's activities can be broken down into four different phases: 5/ a preparatory phase covering the period from its establishment on 26 July 1991 up to October 1991; a second phase of execution of the mandate in the circumstances of a continuing armed conflict, which ran until February 1992; a third phase covering active verification during the period which included the cease-fire, up to October 1992; and a final period in which the activities of the Human Rights Division were carried on against a background of the emergence of substantive problems, which led to the need to introduce some adjustments extending until 15 December 1992 the term of the cease-fire period.

15. During the preparatory phase it undertook two priority tasks with a view to creating the most appropriate conditions for starting active verification activities. In the first place, it was necessary to clarify the scope of the mission in relation to international humanitarian law, in view of the fact that the process of observation had to be carried on in the middle of an armed conflict. The situation called for the effects of the conflict on the civilian population to be verified. That entailed determining the scope of the provisions of the San José Agreement and the limits on their implementation.

16. It was decided to verify cases of international humanitarian law in relation to humane treatment and protection of the civilian population from the ravages of the conflict. This decision was made on the basis of a systematic interpretation of the San José Agreement, which, by referring in its working definition of human rights to the rules of international humanitarian law, indicated that the mission was not without power to verify and even investigate cases or situations related to the armed conflict. Both the reference to international humanitarian law made in the preamble to the San José Agreement and paragraph 18 of the Agreement - which authorizes concurrent application of the mission's procedures with other international machinery for the promotion and protection of human rights - support the view that the presence of the International Committee of the Red Cross is complementary to the mission's work, on the assumption that what is at stake is the minimum standard of protection for the human person (A/46/658, paras. 8-10).

17. Once they had established the working procedures and the conceptual framework for verification activities, the staff of the Division gave priority to establishing smooth contacts with their national counterparts, both in the Government and in the Frente Farabundo Martí para la Liberación Nacional. Levels of initial coordination were established with non-governmental organizations, and various procedures were worked out for their participation in the initial phase of active verification. At the same time, a thorough study was made of the country's legal system so as to be sure of having the legal security arrangements necessary in order to start receiving complaints.

18. From 1 October 1991, after the preparatory work had been completed, the activities of the Human Rights Division entered the second phase, which was characterized by the systematic start of active verification. To that end a set of operational guidelines was drawn up and approved on 1 October 1991, with a view to establishing the functions and competence of the Human Rights Division and determining the scope of active verification, setting out its basic procedures.

19. The complaints received were classified according to whether the violation related to the right to life, integrity and security of the person (summary executions, death threats, enforced and involuntary disappearances, torture and cruel, inhuman or degrading treatment or punishment), the right to humane treatment (attempts on people's lives), or the situation of the civilian population (attacks on civilians, threats or acts of violence in the context of the armed conflict). Verification of violations by FMLN was restricted to these last two categories, which are proper to international humanitarian law.

20. Despite greater alertness by the parties because of the active vigilance that ONUSAL began to display and the atmosphere of relative relaxation that led to the peace negotiations, the human rights situation in this period continued to give grounds for concern. ONUSAL verified many cases of summary executions, arbitrary detentions, enforced or involuntary disappearances, torture and cruel, inhuman or degrading treatment or punishment, and acts or threats of violence.

21. At the same time, the shortcomings of the administration of justice were demonstrated systematically, corroborating the hypothesis that full observance of the right to due process of law is indissolubly linked to the existence of a strong and efficient judicial system meeting the criteria of total independence, objectivity and impartiality.

22. Active verification made it possible to establish, likewise, the persistence of structural situations deriving from the lack of any tradition of the operation of the rule of law, marked by an obvious weakness of institutions and a near breakdown of relations between civilian society and the State. Wide sections of the population had no trust in and did not seek the assistance of the judiciary, the local authorities, the national police or the rest of the State apparatus because of this hostile relationship marked by fear and intimidation.

23. Throughout this phase, the existence of the armed conflict concentrated a large part of the verification work and ONUSAL's presence in the conflict zones, which helped to open up these zones to the activities of non-governmental organizations.

24. With the unilateral cease-fire declared by FMLN on 16 November 1991 and its subsequent formal entry into force on 1 February 1992, following the signature of the El Salvador Peace Agreement, the objective conditions governing the verification work changed in nature. To this must be added the establishment of the Military and Police Divisions, whose verification work contributed greatly to a sustained and progressive downward trend in cases relating to humane treatment and the negative effects of military actions or

movements on the civilian population. Coordination with the Police Division is particularly important because it gives access to technical tools of investigation which are invaluable for clearing up cases and determining the nature of the facts or situations being verified.

25. The new context, together with ONUSAL's increased capacity to carry out active verification work with greater resources and increased efficiency, could be expected in principle to mean a drastic reduction in military activity and its effect on violation of the human rights of the civilian population. This expectation was fulfilled in practice. At the end of the period, processing of the indicators obtained during active verification revealed an appreciable improvement in the situation. Problems and situations directly linked to the armed conflict were gradually disappearing. The same trend was observed with respect to irregular recruiting by the armed forces and by FMLN. The cease-fire was scrupulously respected by both parties throughout the period, and the numbers of civilian deaths and military casualties recorded were not substantial.

26. In contrast to this positive trend in the field of humanitarian law, the human rights situation continued to present a very worrying picture. Despite the fact that active verification in itself involved elements that inhibited or limited the commission of violations, at least with impunity, the overall situation showed only a relative improvement. Summary executions and violent deaths - especially in the departments of San Salvador, La Libertad and Santa Ana - persisted despite the cease-fire. Threats continued to be made against non-governmental organizations, trade unions and political leaders, without the State fulfilling its duty to provide due safeguards.

27. At the same time, ONUSAL was repeatedly disturbed to find that the judicial system was incapable of determining responsibility for serious violations of human rights. This led the Human Rights Division to inform the Government of its profound concern about the administration of justice and its conviction of the need for it to undergo a thorough reform, covering the auxiliary organs, the Government Procurator's Department and the functions of defence counsel (A/46/658, A/46/955).

28. At the beginning of October 1992, the global framework for active verification and for trends in the human rights situation in El Salvador was affected by the emergence of difficulties in meeting the deadlines initially agreed upon for implementation of the peace agreements. This led to a need to revise the timetable and extend the period for fulfilment of the main undertakings (among other things, ending of the cease-fire and of the armed conflict, demobilization of the FMLN forces and their reintegration into the country's economic and political life, distribution of land to those demobilized, purification of the armed forces).

29. Despite this political context, leading at certain moments to a revival of tension and some intolerant attitudes on the part of isolated groups, which resorted to selective death threats, the result of active verification of human rights cases and situations was a substantial improvement. This had already made it possible in the last months of the previous phase to establish new priorities in the Division's work, giving a prominent place to the right to due process of law. Public hearings were attended and closer relations

were established with the judiciary, procurators and judges, with a view to helping to improve the situation with regard to respect for the rules of due process of law, especially as they applied to extrajudicial confession, administrative detention, holding a person incommunicado, the right to defence in criminal trials, remand in custody and judicial delays.

30. On 15 December 1992, with the end of the armed conflict, in both real and official terms, the execution of the main peace agreements linked with the cease-fire, the purification of the armed forces, and the demobilization and integration of the FMLN forces into democratic life, peace finally became a reality for the Salvadorian people.

31. Thus was achieved one of the objectives of negotiations, as laid down in the Geneva Agreement, namely the cessation of armed conflict. The other objectives relating to the establishment of a standard for the enjoyment of human rights and fundamental freedoms, the consolidation of democratic institutions and the realization of national reconciliation continue to be the subject of active verification by ONUSAL.

32. The Secretary-General of the United Nations has stated that, in the new phase now beginning with the end of the armed conflict, ONUSAL will continue long-term monitoring of observance of human rights throughout the country, with a view to gradually achieving the objective of ensuring full observance and enjoyment of human rights.

33. In this new phase of active verification against a background of internal peace, the Human Rights Division must respond to the far-reaching changes taking place in Salvadorian society as a result of the peace process.

34. Despite the end of the armed confrontation, a possible increase in individual acts of political violence is foreseeable in the coming months, coinciding with the start of the electoral process leading up to the general elections scheduled for March 1994. Furthermore, the continued existence of arbitrary detention as a systematic practice and the difficulties presented by the number of weapons in civilian hands may create a situation of widespread insecurity.

35. Against this background, the work of active verification will continue, with emphasis on the following priorities:

(a) Active verification in the field as regards situations such as administrative detention, violations of the right to life and personal security, the growing number of cases of people taking the law into their own hands and a complex emerging problem linked with the exercise of the freedom of association, trade-union freedom and the effective exercise of workers' rights;

(b) Support for strengthening the role of the judiciary by democratic and modern reform enabling it gradually to overcome its virtual ineffectiveness;

(c) Promoting in the armed forces proper observance of the provisions of the Constitution and the peace agreements, in particular in connection with

the formulation of a new doctrine of democratic security consistent with the rule of law and respectful of human rights and fundamental freedoms. In addition, this new orientation of the armed forces should be incorporated into their training courses;

(d) Cooperating, to the same end, in the training and activation of the National Civil Police;

(e) Establishing programmes for active cooperation with the National Counsel for the Defence of Human Rights to enable him to fully discharge the functions of monitoring, investigation and protection of human rights conferred on him by the amendments to the Constitution;

(f) Supporting non-governmental organizations through mutually complementary action programmes and helping them to achieve greater professionalism in their invaluable work of protecting human rights;

(g) Devising and carrying out mass publicity campaigns on human rights and the right of citizens to insist on full respect for such rights by the State and the judicial authorities.

A. Active verification and ONUSAL's relations with the signatories to the peace agreements

36. From the outset of its activities, the Human Rights Division had to establish good relations both with the Government of El Salvador and with the Frente Farabundo Martí para la Liberación Nacional in order to ensure the existence of three conditions essential for the viability of active verification: (a) preserving and increasing its capacity to hold a dialogue with both parties; (b) scrupulously maintaining neutrality and equilibrium in its activities and in the conduct of its personnel; (c) devising expeditious and pragmatic mechanisms for the exchange of information and consultation.

37. These objectives, which have now been achieved and form part of the smooth relationship between the Human Rights Division and the signatories of the agreements, faced difficulties of various magnitudes at the beginning of the mission.

38. On the one hand, the fact that the San José Agreement was intended to be binding on the State initially gave rise to understandable misgivings on the part of some governmental authorities. On the other hand, the way in which the Frente Farabundo Martí para la Liberación Nacional interpreted the agreements led to a number of situations in which it was thought that the binding nature of its undertaking to apply the standards of humanitarian law and respect for the attributes of the human person might not provide a firm basis for active verification.

39. These two assumptions, which were not consistent with reality, were gradually dispelled. The governmental authorities came to understand the positive aim of active verification and the Frente Farabundo Martí para la Liberación Nacional gradually honoured its undertakings. Since then, the compliance with the agreements by both sides has been the key to the whole active verification process. Apart from the continued occurrence of complex

situations, the Salvadorian Government and the Frente Farabundo Martí para la Liberación Nacional have consistently demonstrated their political will in a decisive and transparent manner through their continued cooperation with ONUSAL and through the provision of the guarantees and facilities necessary for active verification operations.

40. These factors have been particularly important in the field, especially in combat areas where the regional coordinators of the Human Rights Division, human rights and police observers and legal officials perform their tasks in continuous contact with the representatives of the parties and the local authorities. The establishment of this cooperative relationship ensures the smooth contact necessary for active verification, particularly with regard to access to combat areas, military authorities and police and judicial representatives.

41. This system of cooperation has made it possible to shed light on many situations of human rights violations and to avoid many others with a proper prevention policy.

B. Active verification and ONUSAL's links with non-governmental organizations

42. The non-governmental organizations play a decisive role in the national and international protection of human rights. This is true both of the traditional procedures within the Commission on Human Rights and of the less orthodox approach of active verification as part of the peacekeeping operation authorized by the Security Council.

43. In the case of ONUSAL, the San José Agreement itself instructed the Human Rights Division to conduct active verification "in close cooperation with existing human rights organizations and bodies in El Salvador". 6/

44. Cooperation with non-governmental organizations to some extent was an accompaniment to the development of active verification operations. In taking up its duties, the Mission adopted various forms of cooperation. A member of the central team was made responsible for relations with NGOs. In the field, the approach tried was to make NGOs responsible for handling complaints and the Human Rights Division for verifying, investigating and making the relevant recommendations.

45. In practice, however, there proved to be a qualitative difference between active verification and the complaints procedure which is an intrinsic part of the work of non-governmental organizations. The task of verifying and investigating complaints necessarily assumed a specific methodology for receiving complaints and criteria for determining admissibility or inadmissibility. For these reasons, active verification must be performed entirely by the verifying body, from the initial phase when the complaint is received. The NGOs contributed to this process by accompanying complainants over a considerable period. Coordinated action also enabled NGOs to understand various factors defining their decisive role in the protection of rights. This served to raise levels of confidence. Subsequently, it was no

longer necessary for NGOs to accompany complainants, who came to ONUSAL offices on their own initiative; otherwise the human rights observers themselves took the initiative.

46. However, active verification would be impossible without the support of NGOs, either through their reports which provide the basic information for verification, or through their access to the population or their experience with methods and procedures. But basically they represent a critical conscience dedicated to the cause of defending human rights which constitutes an aspiration of society as a whole. The NGOs are thus the dynamic factor of greatest relevance in the international protection of human rights.

47. With the improvement of the human rights situation, complaints will still continue to act as a catalyst, but the activities of NGOs can and must be complemented by action to improve human rights education and monitor the State's fulfilment of its duties as a guarantor, together with other courses of action which must confirm the decisive role of the non-governmental organizations in monitoring observance of human rights under the rule of law.

C. Active verification and relations with the civilian population

48. Without the understanding and support of the civilian population, active verification would have no validity as a mechanism for the protection of human rights. At the start of the mission's activities, the majority of the population greeted the presence of the ONUSAL observers with hope, although with some natural apprehension at the lack of adequate information and with a persistent and widespread attitude of fear induced by the armed conflict. This fear was even felt, in the early field operations, by military and police observers, but was rapidly dispelled.

49. Gradually, the civilian population came to view the visits of the ONUSAL observers with trust and as an opportunity to share with them their experience of violations of humanitarian law and human rights. As the complaints and investigation procedures became established, a local and national climate of improved overall protection of the rights of the population developed. This, in turn, was favourable to the dynamic and active participation of the various urban and rural populations in the work of active verification.

50. As the work of active verification developed, the initial reticence of the population began to be replaced by a quite different problem. In many cases, expectations were heightened and regional offices called upon to deal with situations of violence not necessarily related to the exercise of human rights and fundamental freedoms.

51. If the activities of the Human Rights Division have contributed to a demonstrable reduction in human rights violations in El Salvador and to the elimination of violations of international humanitarian law, this is attributable largely and fundamentally to the population's commitment to the peace process and its vigorous participation in active verification.

52. There have been continued reports of isolated acts of specific social groups which, to some extent, have viewed ONUSAL's presence in El Salvador with mistrust or which, in a marginal way, have expressed certain violent

tendencies. On repeated occasions, always coinciding with critical junctures in the implementation of the agreements, ONUSAL has received anonymous threats.

53. However, the great majority of the population is participating in a process of which it will itself be the ultimate beneficiary. A recent survey by the Public Opinion Institute of the Central American University (IUDOP) noted this trend, with 70 per cent of the population expressing a positive attitude towards ONUSAL and only 5 per cent expressing negative opinions. This attitude on the part of the Salvadorian people obviously endows active verification with the social and human legitimacy essential for its success.

IV. EVALUATION OF ACTIVE VERIFICATION AS A MECHANISM FOR THE PROTECTION OF HUMAN RIGHTS

54. The approach adopted by ONUSAL represents a valid option for improving the human rights situation in El Salvador. At the same time, however, it is a universally valid approach in that it represents the institutional development of the protection mechanisms of the United Nations system.

55. Until the Security Council took the decision to establish the verification mission in El Salvador, at the formal request of the parties to the conflict, all United Nations mechanisms and procedures for the protection and promotion of human rights, whatever their specific characteristics, had the following common features: investigation procedures which were not permanent; were not established in the territory of the country which was the subject of international action, were based on the (non-governmental or governmental) communication procedure and had a limited capacity to influence the policies of the State in question by exerting moral, diplomatic or political pressure.

56. Active verification is different in that it involves a continuous presence, for an adequate length of time, in the territory of the country which is the subject of verification; acceptance by the warring parties of the mission's powers to observe, investigate and make recommendations; imposition of the prevailing situation and protection of human rights on the basis of undertakings sovereignly adopted within the State; and, finally, the capacity to promote meaningful change in the situation on the basis of the undertaking by the parties to accept international verification of compliance with political or legal obligations.

57. These characteristics identify active verification as a new and effective mechanism for the protection of human rights within the United Nations. This approach was made possible in El Salvador by a combination of factors without which it would have been difficult, if not impossible, namely, the sovereign and autonomous decision adopted within the country to call on the good offices of the Secretary-General in negotiating the agreements on peace and human rights protection, together with international verification of its undertakings; and the support of the international community for this request, which endowed the Security Council's decision with the necessary legitimacy.

58. The effective application of this mechanism depends to a large extent, not only on proper organizational orientation and the definition of

methodologies and procedures, but also and essentially on the nature of its relations with the parties to the conflict, with non-governmental organizations and with the civilian population.

59. ONUSAL's experience in this field may prove useful in planning any future use of a similar mechanism in other national situations of internal conflict or on the basis of a Government's desire for the support of international verification in dealing with gross and systematic violations of human rights.

Notes

1/ ONUSAL, Acuerdos de El Salvador: En el Camino de la Paz (San Salvador, June 1992), p. 1.

2/ Following the Geneva Agreement, which laid down the conceptual framework and timetable for the peace process, the parties, in each case acting under United Nations auspices, successively signed the San José Agreement on Human Rights (26 July 1990); the Mexico Agreements on the armed forces, the system of justice and human rights, the electoral system and the establishment of the Commission on the Truth (27 April 1991); the New York Agreement on the establishment of the National Commission for the Consolidation of Peace, the purification, reduction and elaboration of a new doctrine of the armed forces and the establishment of the new National Civil Police; the New York Acts I and II which guided the final phase of the negotiations; and the El Salvador Peace Agreement signed at Chapultepec on 16 January 1992.

3/ The timetable for the implementation of the peace agreements originally set 31 October 1992 as the date for the end of the cease-fire phase. Owing to a variety of circumstances, it was not possible to meet this deadline and the agreements were adjusted to establish 15 December as the new deadline for the cessation of the armed conflict.

4/ ONUSAL, Acuerdos de El Salvador: En el Camino de la Paz, (San Salvador, June 1992), p. 50.

5/ For a detailed account of ONUSAL's active verification activities, see the reports submitted by the Director of the Human Rights Division to the General Assembly: A/45/1055 (first report, 16 September 1991); A/46/658 (second report, 15 November 1991); A/46/876 (third report, 19 February 1992); A/46/938 (fourth report, 5 June 1992); and A/46/955 (fifth report, 12 August 1992).

6/ ONUSAL, Acuerdos de El Salvador: En el Camino de la Paz, (San Salvador, June 1992) p. 10.